

United States Senate
WASHINGTON, DC 20510

April 23, 2019

Nancy Berryhill
Acting Commissioner
Office of the Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235-6401

Dear Acting Commissioner Berryhill:

We appreciate your response to our March 13 letter regarding news reports that the Social Security Administration is planning to monitor social media accounts as part of disability determinations. Your letter did very little to address the issues we raised, however. For that reason, we have ongoing concerns about this proposal.

When individuals apply for SSDI benefits, the laborious journey they go through before receiving their benefits should not rely on whether or not they are featured in a picture holding their grandchild or dancing with their child at a wedding. The thought that capturing a fleeting moment of joy or celebration shared on social media could then result in a rejection or loss of benefits understandably raises serious concerns throughout the disability advocacy community. It is especially cruel to use social media platforms in this way, given that people with disabilities and their families use these platforms to further a sense of community and shared experiences.

This invasive, proposal not only goes against the original intent of SSDI, but its effectiveness in combatting SSDI fraud is questionable at best. We continue to believe that people with disabilities are entitled to live their lives absent of the judgment this proposal would impose. Furthermore, with SSA suffering from a perpetual lack in funding, this proposal appears to be one of the least prudent uses of taxpayer money imaginable.


Your wholly inadequate response unfortunately raised more questions than it answered. You stated in your letter that you've already begun evaluation of some of the concerns raised in our letter. We thank you for sharing that with us and we'd like to learn more about the evaluation you've conducted thus far. Please provide a written response to the questions below:

- As a result of SSA budget cuts and the perpetual understaffing the organization faces, has there been a diversion of resources from other programs to this effort? In which fiscal years have resources been used to support this effort? In each fiscal year where resources were spent, how much money was utilized in support of this effort? How many FTEs were spent conducting this effort?
- With millions of Americans active on social media, how many individuals has SSA monitored in the work to design and evaluate a social media monitoring effort?
 - Have the individuals who have had their social media accounts observed by SSA been made aware of the observations?

- What social media platforms is SSA using as you design and evaluate this effort?
- Given the recent hacks in various social media platforms, please share with us the precautions SSA has taken to ensure the social media data found on individuals accounts is not at risk of being breached?

Due to the sensitive nature of this topic, we would appreciate your detailed response by May 1, 2019.

Sincerely,

A handwritten signature in blue ink that reads "Sherrod Brown". The signature is written in a cursive, flowing style.

Sherrod Brown
United States Senator

A handwritten signature in blue ink that reads "Bob Casey, Jr.". The signature is written in a cursive, flowing style.

Robert P. Casey, Jr.
United States Senator